

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WALTER STEWART

PLAINTIFF

VS.

CIVIL ACTION NO. 3:08cv501-WHB-LRA

**THE LAW OFFICES OF
CATOUCHE BODY, LLC AND
CATOUCHE J. L. BODY**

DEFENDANTS

**AGREED ORDER GRANTING MOTION
FOR REFERRAL TO BANKRUPTCY COURT**

This matter came before the Court upon the Defendants' Motion for Referral to Bankruptcy Court [Docket No. 3] pursuant to 28 U.S.C. § 157(a). The Plaintiff does not oppose the Motion. Accordingly, the Court finds that it is well taken, and orders that the captioned matter shall be transferred to the United States Bankruptcy Court for the Jackson District of Mississippi, Southern Division.

1. On July 1, 2008, Plaintiff filed a Complaint against Defendants in the County Court of the First Judicial District of Hinds County. On August 11, 2008, the Defendants filed a Notice of Removal, pursuant to the Court's jurisdiction under 28 U.S.C. §§ 1334(b), (e) and 1452. Specifically, all or part of the relief sought by the Plaintiff is related to a case under the Bankruptcy Code, 11 U.S.C. § 101, *et seq.*, as bearing on property of the estate of non-party, debtor, Terry Mann and the rights and interests of parties asserting claims thereto. Further, Defendants believe that this case is a core proceeding and that the Bankruptcy Court is best situated to adjudicate and to do so efficiently, particularly given the identity of claims between Plaintiff and Defendants and Plaintiff and debtor, Terry Mann.

2. The Plaintiff did not oppose removal.

3. On August 18, 2008, Defendants filed a Motion for referral to the Bankruptcy Court [Docket No. 3] pursuant to 28 U.S.C. § 157(a). Referral is appropriate, as Plaintiff's Complaint seeks to recover from the Defendants the amount of the debt owed to Plaintiff by Terry Mann. Terry Mann is a debtor and debtor-in-possession in a chapter 11 reorganization proceeding styled *In re Terry Mann d/b/a Wesley Memorial Chapel*, Case Number 06-01902-NPO (the "Bankruptcy Case") now pending in the United States Bankruptcy Court for the Southern District of Mississippi, Jackson Division (the "Bankruptcy Court"). Mann filed his Bankruptcy petition on September 12, 2006.

4. Plaintiff does not oppose referral of this matter to the Bankruptcy Court. Additionally, if this case is determined to be a non-core proceeding, the parties agree and consent to the entry of final orders or judgments by the presiding Bankruptcy Judge.

5. **SO ORDERED** this the 7th day of October, 2008.

s/William H. Barbour, Jr.

United States District Court Judge

Agreed:

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and Catouche Body:

/s/ Kyle Moran

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